

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No. 07-47- SLR
)	
WILFREDO M. PINKSTON,)	
)	
Defendant.)	

JOINT STIPULATION TO WITHDRAW MOTION TO SUPPRESS

NOW COMES, the United States of America, by and through the undersigned attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Martin C. Meltzer, Special Assistant United States Attorney for the District of Delaware, and Joe Hurley Esquire, attorney for the defendant, hereby respectfully submits a Joint Stipulation to withdraw the defendant's Motion to Suppress and the government's opposition in the above case.

The above respectfully submits the following in support of their joint stipulation:

1. On July 23, 2007, the defendant filed a Motion to Suppress statements made by the defendant after being taken into custody and prior to being given *Miranda* warnings.
2. The government has agreed it will not use the statements made by the defendant prior to him being given *Miranda* in the government's case-in-chief.
3. The statements provided by the defendant prior to being given *Miranda* are as follows: when the defendant was asked why he ran to the rear of the building, he stated "he ran after his pit bull that chased a cat" to the rear of the vacant building. He also stated "he was on probation and did not have anything."

5. The government and the defendant's counsel jointly submit this stipulation and the defendant's counsel has authorized the government to sign this stipulation for him.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

/s/ Joe. Hurley, Esquire
Joe Hurley
Attorney for Defendant

/s/Martin C. Meltzer
Martin C. Meltzer
Special Assistant United States Attorney

Dated: August 28, 2007

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Defendant.)	

CERTIFICATE OF SERVICE

I, Martin C. Meltzer, Special Assistant United States Attorney for the District of Delaware, hereby certify that on the 29rd day of August, 2007, I caused to be filed a Joint Stipulation to withdraw the defendant's Motion to Suppress in the above case with the Clerk of the Court. Said documents were served via the ECF system on counsel for the defendant:

Joe Hurley, Esquire
1215 King Street
Wilmington, DE 19801

/s/ Martin C. Meltzer
Martin C. Meltzer
Special Assistant United States Attorney